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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,768	08/22/2001	Tony Hashem	52493.000199	6196

7590

02/14/2005

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EXAMINER

DUNCAN, MARC M

ART UNIT

PAPER NUMBER

2113

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/933,768

Applicant(s)

HASHEM ET AL.

Examiner

Marc M Duncan

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12, 15-20, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 8-11, 13, 14 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of the Claims***

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Cogger et al.

Claims 19-20 and 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Bedeski et al.

Claims 12 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cogger et al. in view of Microsoft.

Claims 8-11, 13, 14 and 21 are objected to.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Cogger et al.

Regarding claim 1:

Cogger teaches an error log including error recording tools for enabling the user to record an error in col. 7 lines 25-34 and col. 11 lines 32-41.

Cogger teaches error resolution tools for enabling the user to resolve the error in col. 16 lines 11-54.

Cogger teaches error follow-up tools for enabling a user to follow up on resolved errors in col. 14 lines 54-56 and col. 17 lines 23-28.

Cogger teaches error reporting tools for enabling a user to generate error reports from the user's desktop in col. 8 lines 59-62.

Cogger teaches communication means for enabling the user to transmit logged errors to the central database and to receive reports generated from errors logged in the central database in col. 8 lines 59-62, col. 14 lines 54-56 and col. 17 lines 23-38.

Regarding claim 2:

Cogger teaches the error recording tools include means for determining an identity of the person recording an error in Fig. 8.

Regarding claim 3:

Cogger teaches the error recording tools include means for routing the recorded error in col. 14 lines 63-64.

Regarding claim 4:

Cogger teaches the error resolution tools include means for reporting error resolution data in the Abstract lines 10-14.

Regarding claim 5:

Cogger teaches the error follow-up tools includes means for resolving an error by any user subsequent to detection of the error by a first user in the Abstract lines 10-14.

Regarding claim 6:

Cogger teaches the reporting tools comprise means for generating a plurality of customized reports in col. 8 lines 59-62.

Regarding claim 7:

Cogger teaches the customized reports comprise a detailed error count report for providing the user with a number of times that a particular type of error occurred during a specified time period for a specified location in col. 17 lines 23-31. The trouble tickets contain both the time and the location of the errors.

Claims 19-20 and 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Bedeski et al.

Regarding claim 19:

Bedeski teaches locating an error that requires resolution in col. 5 lines 9-10.

Bedeski teaches opening the error log in col. 5 lines 9-10.

Bedeski teaches locating an error incident number in col. 5 lines 40-42.

Bedeski teaches entering resolution details in Fig. 4B, Fig. 4D "Action taken" and col. 9 lines 19-30.

Bedeski teaches closing the incident in Fig. 4B.

Bedeski teaches storing error resolution data in an error log database in the Abstract lines 18-21.

Regarding claim 20:

Bedeski teaches the step of locating an error that requires resolution comprises receiving a routed error in col. 2 lines 38-42.

Regarding claim 22:

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Bedeski teaches the step of opening the error log comprises selecting an error log icon on a user device in col. 4 lines 46-50. The error log is opened using graphical user interface on a personal computer, which, at the time of invention, necessarily used an icon on the user device.

Regarding claim 23:

Bedeski teaches the step of entering resolution details comprises entering a resolving party name and a method of resolution in Table 1. The close out information in Table 1 specifies that the close out information includes the cleared by, work performed and work group routed to fields.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 12 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cogger et al. in view of Microsoft.

Regarding claim 12:

Cogger teaches finding an error in col. 11 lines 33-41.

Cogger teaches selecting an error log icon in col. 7 lines 12-16 and col. 11 lines 55-58.

Cogger teaches entering document details in Fig. 7-10. Each figure represents a point at which document details are entered.

Cogger teaches entering personal details in Fig. 8.

Cogger teaches entering error details in Fig. 6-7 and 14.

Cogger teaches determining whether assistance is needed to correct the error in col. 16 lines 19-27.

Cogger teaches completing resolution details and saving changes if assistance is not necessary in col. 16 lines 19-27 and lines 46-54.

Cogger teaches entering recipient details if assistance is necessary in col. 16 lines 19-27.

Cogger teaches saving error data in an error log database in the Abstract lines 10-14 and col. 14 lines 54-56.

Cogger does not explicitly teach sending an email message. Cogger does, however, teach sending files over a communications network.

Microsoft teaches sending an email message in the definition of email.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the email message of Microsoft with the sending of files over a communication network of Cogger.

One of ordinary skill in the art at the time of invention would have been motivated to combine the teachings because Cogger explicitly teaches a need for sending files over a communications network. The email of Microsoft meets that explicit need.

Regarding claim 15:

Cogger teaches the step of entering personal details comprises entering at least one of a name, a department, and a company reporting the error in Fig. 8.

Regarding claim 16:

Cogger teaches the step of entering error details comprises entering an error and entering an error description in Fig. 6-7 and 14.

Regarding claim 17:

Cogger teaches completing resolution details comprises entering a name of a resolving party and entering a method of resolution in the Abstract lines 10-14.

Regarding claim 18:

Cogger teaches entering recipient details comprises entering a selected recipient capable of resolving the error in col. 16 lines 19-27.

### ***Allowable Subject Matter***

Claims 8-11, 13, 14 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***




The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited but not relied upon is considered to exhibit a current state of the art or to contain elements of the instant claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc M Duncan whose telephone number is 571-272-3646. The examiner can normally be reached on M-T and TH-F 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on 571-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

md

  
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